

10/576642

IAF20 Rec'd PCT/PTO 21 APR 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN THE APPLICATION OF : Martin Terence Cole  
FOR : IMPROVEMENT(S) RELATED TO  
PARTICLE MONITORS AND  
METHOD(S) THEREFOR  
  
SERIAL NO. : Not yet assigned  
FILED : April 21, 2006 (filed herewith)  
EXAMINER : Not yet known  
ART UNIT : Not yet known  
CONFIRMATION NO. : Not yet known  
ATTORNEY DOCKET NO. : SM9305PCT(US)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached form PTO-1449. The required copy of each document is enclosed *except for* documents previously cited by or submitted to the Office in a prior application(s) relied upon for an earlier filing date under 35 U.S.C. 120, said prior application(s) identified below:

**Serial No.**

**Filing Date**

2. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

3. Pursuant to 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited in this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

4. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- ☐ Copy of each English language version of a search report by a foreign patent office in a counterpart foreign application, indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- ☐ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents."
- ☐ English-language abstract.

☒ 5. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed:

- ☒ concurrently with the filing of the national application; or
- ☐ within 3 months of the filing date of a national application or
- ☐ within 3 months of the date of the entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
- ☐ before the mailing date of a first Office Action on the merits.

{NOTE: Statements filed within the foregoing periods require neither a fee nor a Certification}

☐ 6. Pursuant to 37 C.F.R. 1.97(c) this Statement is being filed *after* the mailing date of a first Office Action on the merits but *before* the mailing date of either: a Final Office Action under 37 C.F.R. 1.113 or a Notice of Allowance under 37 C.F.R. 1.311, whichever occurs first. Accordingly, this Statement is accompanied by:

- ☐ Certification as specified in 37 C.F.R. 1.97(e); OR
- ☐ The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 to be charged to our credit card to cover the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

☐ 7. Pursuant to 37 C.F.R. 1.97(d) this Statement is being filed *after* the period specified in 37 C.F.R. 1.97(c), but *before or concurrent with* payment of the Issue Fee. Accordingly, this Statement is accompanied by:

- A. Certification as specified in 37 C.F.R. 1.97(e); AND
- B. The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 to be charged to our credit card to cover the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

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- 0 8. Statement filed *after* payment of Issue Fee, but *before* patent grant:

This Statement is being filed *after* payment of the Issue Fee, but *before* grant of the patent; accordingly it is understood that this Statement will *not* be considered. However, it is respectfully requested that this Information Disclosure Statement be placed in the application file. **{NOTE: no fees or certification required}**

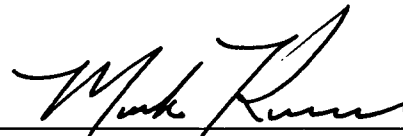
- 0 9. CERTIFICATION under 37 C.F.R. 1.97 (e) (if applicable):

() The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Information Disclosure Statement.OR

() The undersigned hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fees required for consideration of this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0537, identifying our Docket No. SM9305PCT(US).

Respectfully submitted,



Mark Kusner, Reg. No. 31,115

Date: 21 April 2006

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: April 21, 2006



Christine Goellner

Form PTO-1449

U.S. Patent Application No.: not yet assigned

Attorney Docket No.: SM9305PCT(US)

IDS Mailed: April 21, 2006 – with new application

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**INFORMATION DISCLOSURE CITATION**

In re application of: Martin Terence Cole

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Confirmation No.: unknown

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Examiner: unknown

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AND METHOD(S) THEREFOR

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**U.S. Patent Documents**

<b>Examiner Initials</b>	<b>Document Number</b>	<b>Issued/Published Date</b>	<b>Name</b>	<b>Class</b>
/M.S./	3,982,130	09/21/1976	Trumble	250/373
	4,181,439	01/01/1980	Tresch et al.	356/338
	4,426,640	01/17/1984	Beconsall et al.	340/632
	4,906,978	03/06/1990	Best et al.	340/630
	6,414,746	07/02/2002	Stettner et al.	356/4.01
/M.S./	2002/0101345	01/01/2002	Pattok et al.	340/516

**Foreign Patent Documents**

<b>Examiner Initials</b>	<b>Document Number</b>	<b>Country</b>	<b>Date of Publication</b>	<b>Class</b>	<b>Translation (Yes/No)</b>
/M.S./	GB 2193570	Great Britain	02/10/1988	G01N 15/14	yes

Form PTO-1449

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Foreign Patent Documents - continued

Examiner Initials	Document Number	Country	Date of Publication	Class	Translation (Yes/No)
/M.S./	GB 2267963	Great Britain	12/22/1993	G08B 17/103	yes
	GB 2273769	Great Britain	06/29/1994	G08B 17/107	yes
	GB 2319604	Great Britain	05/27/1998	G08B 17/103	yes
	WO 00/07161	WIPO	02/10/2000	G08B 17/107	yes
/M.S./	WO 01/59737	WIPO	08/16/2001	G08B 17/00	yes

Examiner:

Date Considered:

/Michael Stafira/

07/28/2008

**\*\*Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.